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TORRANCE POLICE DEPARTMENT

13  
14 UNITED STATES DISTRICT COURT

15 CENTRAL DISTRICT OF CALIFORNIA  
16

17 ROBERT THOMSON,

18 Plaintiff,

19 vs.  
20

21 TORRANCE POLICE DEPARTMENT  
and THE LOS ANGELES COUNTY  
22 SHERIFFS DEPARTMENT,

23 Defendants.  
24  
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26  
27  
28

Case No. CV11-06154 SJO (JCx)  
Date Action Filed: July 26, 2011

Assigned to:  
U.S. District Judge S. James Otero

**DECLARATION OF CHIEF OF  
POLICE JOHN NEU IN SUPPORT OF  
DEFENDANT TORRANCE POLICE  
DEPARTMENT'S MOTION FOR  
SUMMARY JUDGMENT (FRCP 56)**

**Date:** February 27, 2012  
**Time:** 10:00 a.m.  
**Courtroom:** 1- 2nd Floor  
**Location:** Spring Street

**DECLARATION OF JOHN NEU**

I, John Neu, declare as follows:

1. I am the Chief of Police of the Torrance Police Department, City of Torrance, California ("City"). The following facts are within my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. A true and correct copy of the City's Good Cause Policy for Carry Concealed Weapons ("CCW") Licenses, consisting of three pages, that was in effect during all times pertinent to this litigation is attached hereto as Exhibit A.

3. The Good Cause Policy is designed to maintain public safety, prevent gun-related crime and the death of citizens, reduce the incidence of unlawful public shootings, reduce the number of concealed weapons in public in order to reduce the risks to other members of the public who use the streets and go to public accommodations, and ensure that police officers can safely respond to dangerous situations. The existence of a hidden loaded weapon poses a particularly serious danger to police officers when they investigate crimes and may be unaware of such a weapon.

4. The Good Cause Policy is designed to differentiate between applicants that have a bona fide need for a CCW, as opposed to those that do not.

5. On December 19, 2008, Plaintiff Robert Thomson ("Plaintiff") submitted his first CCW license application to the City ("First Application"). Pursuant to Department policy and my direction, over the next few months a thorough investigation was conducted by the Department based on Plaintiff's First Application, and Plaintiff was personally interviewed. A true and correct copy of the Department's files concerning that investigation and interview is attached hereto as Exhibit B.

6. On April 1, 2009, I denied Plaintiff's First Application based on the fact that he had failed to establish good cause for its issuance. Although Plaintiff had some generalized security concerns for his safety because of his occupation as a

1 Bail Agent, there were no documented specific threats directed at Plaintiff, and there  
2 was no evidence that the local police agencies could not assist Plaintiff with any  
3 future problems that may arise. Nor did Plaintiff have any safety concerns centered  
4 geographically in the City of Torrance. Plaintiff has never filed a legal challenge to  
5 the denial of his First Application.

6 7. Two years to the date after submitting his First Application to the City,  
7 Plaintiff submitted his second CCW license application to the City on December 19,  
8 2010 ("Second Application"). Pursuant to Department policy and my direction,  
9 over the next few months another thorough investigation was conducted by the  
10 Department based on Plaintiff's Second Application, and Plaintiff was again  
11 personally interviewed. A true and correct copy of the Department's files  
12 concerning Plaintiff's Second Application investigation and interview is attached  
13 hereto as Exhibit C.

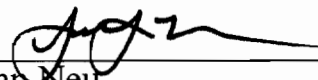
14 8. On April 5, 2011, I denied Plaintiff's Second Application. It is this  
15 denial that is the subject of Plaintiff's lawsuit. The denial of Plaintiff's Second  
16 Application was again based on the fact that Plaintiff had failed to establish good  
17 cause for its issuance. Specifically, Plaintiff's personal and employment  
18 information had not changed since his First Application, except that he now claimed  
19 to be operating his business out of commercial office space rather than his residence.  
20 Plaintiff recounted only one incident in addition to the grounds he had set forth in  
21 his First Application as justification for a license. That new incident actually did not  
22 involve Plaintiff's job - rather, it involved his wife, who works in real estate. While  
23 assisting her in changing the lock at a unit in a residential complex located in the  
24 City of Los Angeles, Plaintiff was allegedly confronted by the former tenants of the  
25 unit and some other tenants who threatened Plaintiff with physical harm and threw  
26 household items at him. Plaintiff contacted the LAPD, and the change of lock was  
27 thereafter completed without incident.

28 9. In both of his applications Plaintiff admitted that: (a) he had never

1 been threatened within the jurisdiction of the TPD; (b) he had no security concerns  
2 within the jurisdiction of the TPD; (c) he had never been physically assaulted or  
3 robbed during the course of his employment in any jurisdiction; (d) he had never  
4 had to file a report with any police agency regarding threats made against him or his  
5 family; (e) he evaluates every bail bond with safety in mind, and if he believes there  
6 is any type of risk, he refuses to take the case; and (f) his concerns were with the  
7 "unforeseen" and "what ifs" that went along with his job. Again, although Plaintiff  
8 professed some generalized security concerns for his safety because of his  
9 occupation as a Bail Agent, there were no documented specific threats directed at  
10 Plaintiff, and there was no evidence that the local police agencies could not assist  
11 Plaintiff with any future problems that may arise. Nor did Plaintiff have any safety  
12 concerns centered geographically in the City of Torrance. Finally, it was also  
13 apparent that Plaintiff had alternative means of defending himself under California's  
14 weapons laws other than carrying a concealed weapon. Because Plaintiff was not  
15 subject to any specific, credible threats, I ultimately determined that Plaintiff had  
16 failed to demonstrate good cause for a CCW license, and I denied Plaintiff's Second  
17 Application on April 5, 2011.

18 Executed on this 21 day of December, 2011, at Torrance, California.

19 I declare under penalty of perjury under the laws of the United States of  
20 America that the foregoing is true and correct.

21  
22   
23 John Neu